REMARKS

Claims 1-8 and 10-20 remain in this application.

For the sake of clarity, and to emphasize the patentable distinctions of applicant's invention over the prior art, claim 1 has been amended to recite a system for placing an advertisement on the monitor of a computer of a user of an Internet Service Provider connected to the computer via a connection having a connection speed and compensating said user for receiving and viewing said advertisement, comprising: (a) an Internet server; (b) at least one application logic set stored on said server, each of said application logic sets being provided with means for causing a browser of said user to display said advertisement in a non-dismissible and temporary browser window on said monitor for a predetermined time period; (c) a registration means for accepting a request from said user to become a registered user; (d) a registered user database on said server for storing registered user information and computing and storing said registered user's advertisement viewing history; and (e) a compensation means for compensating said registered user for receiving and viewing said advertisement provided said user has previously registered, the compensation means comprising credits for access time, the amount of credits depending on the total number of advertisements viewed by said user, whereby access by said user of said Internet Service Provider triggers display of said advertisement in a temporary and non-dismissible window on said monitor for a predetermined time period and effects compensation of said registered user, wherein the compensation is in the form of credits for access time. Claims 8 and 15-16 have been amended in a similar fashion to specifically call for compensating a registered user for receiving and viewing an

advertisement wherein the compensation is in the form of credits for access time, the amount of credits depending on the total number of advertisements viewed by the registered user.

Each of the foregoing amendments is clearly supported by the original specification. In particular each of the foregoing amendments is clearly supported by the original specification, at page 10, lines 16-20. Consequently, no new matter has been added.

Applicant's invention provides a system and method for disseminating advertising via the Internet. In one aspect, the invention provides an Internet user the opportunity to receive compensation in exchange for accepting the display of advertisements on his/her computer monitor in a non-dismissible browser window, wherein each advertisement is displayed for a predetermined time period. Although other forms of advertising via the Internet are known, the present system provides a combination of benefits to both the advertiser and the user. The advertiser has assurance that advertisements will be presented to the user, and the likelihood for the advertiser of influencing the user is increased, since the advertisement is inexorably displayed on the user's computer web browser for a known time interval. The user, on the other hand, has voluntarily agreed to accept such advertising in exchange for assured compensation in the form of credits for access time.

The Examiner objected to the amendment filed February 14, 2005 under 35 USC 132(a) for introducing new matter into the disclosure. Specifically, the Examiner

objected to the added material as follows: upon registration, the user surrenders any option to decline to receive said advertisements during said access to said ISP. Applicant disagrees with this objection. It is respectfully submitted that the specification, as originally filed, supports this subject matter. In order to advance prosecution of this application, however, the objected to subject matter has been canceled from the present claims. The Examiner has further objected to the specification as failing to provide proper antecedent basis for the claimed subject matter. Applicant reserves the right to further overcome the objections to new matter in the previous claims and to the specification if necessary. Because the objected to subject matter has been canceled from the present claims, reconsideration of the objection to the claims for adding new matter and to the specification is respectfully requested.

Claims 1-8 and 10-20 were rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner has indicated that in claim 1d, there is no antecedent basis for "said database." In order to overcome this rejection, claim 1d has been amended to replace the word "database" with the word "server", referring back to 1a. The Examiner has further indicated that in claims 1, 8, 15, and 16, there is no antecedent basis for "any option." Because this subject matter has been canceled from the respective claims, this rejection has been overcome.

Accordingly, reconsideration of the rejection of claims 1-8 and 10-20 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention is respectfully requested.

Claims 1, 3-8, 10-15, and 18-20 were rejected under 35 USC 103(a) as being unpatentable over US Patent 6,687,737 to Landsman et al. in view of US Patent 5,855,008 to Goldhaber et al.

Landsman et al. disclose a technique for implementing in a networked client-server environment, e.g., the Internet, network distributed advertising in which advertisements are downloaded from an advertising server to a browser executing at a client computer. The advertisements are subsequently displayed interstitially in response to a click-stream generated by the user to move from one web page to another.

Goldhaber et al. provides an approach for distributing advertising and other information over a computer network. The method is said to be usable to provide direct, immediate payment to a consumer for paying attention to an advertisement or other information.

As amended, claim 1 (and claims 3-7 and 20 dependent thereon) requires a registration means by which an Internet user can become a registered user and a compensation means by which the user is thereafter compensated, e.g. by receiving credits for access time, for receiving advertisements that are displayed on the user's

computer monitor in a window that cannot be dismissed before a predetermined time period fixed in the protocol by which the advertisement is transmitted from the Internet Service Provider. As amended, claim 1 is submitted to require in combination (i) the aforementioned registration means, (ii) compensation means for compensating the user for receiving and viewing the advertisement provided the user has previously registered, the compensation means comprising credits for access time, the amount of credits depending on the total number of advertisements viewed by the user, and (iii) at least one application logic set stored on the server, each of the application logic sets being provided with means for causing a browser of the user to display the advertisement in a non-dismissible and temporary browser window on the monitor for a predetermined time period. It is submitted that the required combination of these features is not disclosed or suggested by Landsman et al. in view of Goldhaber et al. It is thus submitted that the subject matter of claims 1, 3-7, and 20 is novel over Landsman et al. in view of Goldhaber et al.

Nowhere in Goldhaber et al. is there any disclosure or suggestion of compensating the user for receiving and viewing the advertisements by providing the user with credits for (Internet) access time, wherein the credits are limited to use only towards (Internet) access time. By definition, a unit of "credit" for something represents accruing a positive balance specifically for that thing. The payment 60(a) given to consumers by Goldhaber et al. can be used for many different purposes and is not limited to being used only for (Internet) access time. Significantly, the payment 60(a) received by the consumer for

viewing the advertisement is different than the payment 60(b) used for purchasing entertainment or other information the consumer wishes to access. Further, the payments 60(a) and 60(b) are in the form of cash, not credit. *See* Figs. 5 and 6 of Goldhaber et al, which depict the payment as a dollar bill. Further, the "entertainment" that is referred to by Goldhaber et al. constitutes things such as: movies, television shows, etc. as depicted by the portion of film at 70, which is the exact thing being purchased by the consumer. That is to say, Goldhaber et al. does not provide credit for (Internet) access time.

In summary, the system disclosed by Goldhaber et al. is as follows (i) the consumer views an advertisement; (ii) the advertiser compensates the consumer with a cash payment 60(a) being unlinked to the sponsored service provider 66 (see Fig. 6 of Goldhaber et al.); (iii) the consumer can use the cash payment 60(a) for anything she wishes; and (iv) if she wishes, the consumer may make a completely different payment 60(b) to the sponsored service provider to pay for a specific piece of entertainment (i.e. a movie). By way of comparison, present claims 1-20 call for a system as follows: (i) the consumer views an advertisement; (ii) the advertiser compensates the consumer with credits for (Internet) access time; (iii) the consumer can only use the credits for (Internet) access time; and (iv) the consumer submits the credits to their online service provider to obtain additional access time (e.g. 10 minutes of access time to the Internet). Goldhaber et al. does not disclose or suggest compensating a user for viewing advertisements, wherein the compensation constitutes credits for (Internet) access time, which, by their

very definition, can only be used for (Internet) access time. Significantly, there is no mention of credits for access time as the form of compensation in Goldhaber et al.

In view of the amendment to claim 1 and the foregoing remarks, it is submitted that claims 1, 3-7, and 20 are novel over Landsman et al. in view of Goldhaber et al.

In as much as present claim 8 (and claims 10-14 dependent thereon), as well as present claim 15 have been amended in the same fashion as present claim 1, it is submitted that claims 8 and 10-15 are novel over Landsman et al. in view of Goldhaber et al. for the same reasons discussed hereinabove, regarding the rejection of claim 1. In particular, claim 8 (and claims 10-14 dependent thereon), as well as present claim 15 have been amended to require a method for advertising to a user of an Internet Service Provider, comprising the step of compensating the user for receiving and viewing the advertisement provided said user has previously registered, the compensation comprising credits for access time, the amount of credits depending on the total number of advertisements viewed by the user.

Further regarding claim 8, the Examiner has indicated that Goldhaber et al. teaches many embodiments whereby a registered computer user is compensated for viewing advertising. However, applicant respectfully submits that any system implemented in accordance with the combined teaching of Landsman et al. and Goldhaber et al. would not incorporate the features required by claim 8. While Goldhaber et al. admittedly discloses certain forms of compensation of computer users, it is submitted that the Goldhaber et al. technique differs from that of claim 8 in significant respects. In

particular, the Goldhaber et al. technique calls for users to be presented with a window having a list of ads that the user may elect to view. Col. 7, lines 28-30. Next to the titles displayed on the ad list is a "consumer interface button" with a distinctive style. The user receives compensation only after opening one of the listed ads by mouse-clicking the customer interface button corresponding to the given ad. Col. 7, lines 51-55. The user thus may avoid seeing ads altogether, albeit foregoing compensation as a result. By way of contrast, in the method provided by amended claim 8, by the act of registering, the user is assured of compensation. Further, the combined teaching of Landsman et al. and Goldhaber et al. does not disclose or suggest the particular type of compensation as required by present claims 1-8 and 10-20, namely, compensation being in the form of credits for access time, wherein the amount of credits depends on the total number of advertisements viewed by the user. Even in combination, Landsman et al. and Goldhaber et al. fail to disclose or suggest such a method for compensating the users.

In view of the amendments to claim 8 (as well as claims 10-14 dependent thereon) and claim 15, and the foregoing remarks, it is submitted that claims 8 and 10-15 are novel over Landsman et al. in view of Goldhaber et al.

Accordingly, reconsideration of the rejection of claims 1, 3-8, 10-15, and 18-20 under 35 USC 103(a) as being unpatentable over Landsman et al. in view of Goldhaber et al. is respectfully requested.

Claims 2 and 16-19 were rejected under 35 USC 103(a) as being unpatentable over Landsman et al. in view of Goldhaber et al. and US Patent 5,854,897 to Radziewicz et al.

Radziewicz et al. discloses a communications marketing system, which allows a client station accessing a computer network through a Network Service provider to receive advertisements whenever the connection path between the client station and the Service Provider is idle.

Significantly, neither Landsman et al., Goldhaber et al., nor Radziewicz et al. discloses or suggests any system having, in combination, the aforementioned features delineated by claim 1, from which claims 2 and 18 depend, or claim 16, from which claims 17 and 19 depend, namely (i) registration means, (ii) compensation means for compensating the user for receiving and viewing the advertisement provided the user has previously registered, the compensation means comprising credits for access time, the amount of credits depending on the total number of advertisements viewed by the user, and (iii) at least one application logic set stored on the server, each of the application logic sets being provided with means for causing a browser of the user to display the advertisement in a non-dismissible and temporary browser window on the monitor for a predetermined time period. It is therefore respectfully submitted that claims 2 and 16-19 patentably define over the combination of Landsman et al., Goldhaber et al., and Radziewicz et al.

Accordingly, reconsideration of the rejection of claims 2 and 16-19 under 35 USC 103(a) as being unpatentable over the combination of Landsman et al., Goldhaber et al. and Radziewicz et al. is respectfully requested.

CONCLUSION

In view of the amendment to the claims and the foregoing remarks, it is respectfully submitted that the present application has been placed in allowable condition. Reconsideration of the rejections set forth in the Office Action dated November 18, 2005 and allowance of claims 1-8 and 10-20, as amended, is earnestly solicited.

Respectfully submitted,

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